

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Arun Bhattacharyya et al.

Serial No.: 10/676,763

Group Art Unit: 2828

Filed: October 1, 2003

Examiner: Wimer, Michael C.

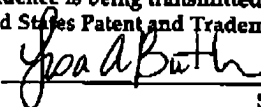
Title: HIGH RADIATION EFFICIENT DUAL BAND FEED HORN

Atty. Docket No.: 01-052 (BOE 0460 PUS)

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Examiner Michael C. Wimer with the United States Patent and Trademark Office on:

November 4, 2004  
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Lisa Butler



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Dear Sir:

The Boeing Company, (hereinafter Boeing), a Delaware Corporation, having its principal place of business in Seattle, King County, Washington, with a mailing address of P.O. Box 3707, M/S 13-08, Seattle, Washington, 98124-2207, represents that it is the owner of the full (100%) and exclusive rights, title, and interest in the above-identified patent application Serial No. 10/676,763, filed October 1, 2003, for a "HIGH RADIATION EFFICIENT DUAL BAND FEED HORN", as evidenced by the records of the United States Patent Office.

Boeing hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154, 156, and 173, as presently shortened by any terminal disclaimer,

U.S.S.N. 10/676,763

2

01-052 (BOE 0460 PUS)

of prior patent No. 6,642,900 B2. Boeing hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Boeing does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154, 156, and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney of record.

U.S.S.N. 10/676,763


3

01-052 (BOE 0460 PUS)

The terminal disclaimer fee pursuant to 37 CFR 1.20(d) is being submitted herewith.

Respectfully submitted,

ARTZ & ARTZ P.C.

  
Jeffrey J. Chapp, Reg. No. 30,579  
28333 Telegraph Road, Suite 250  
Southfield, MI 48034  
(248) 223-9500

Dated: November 4, 2004